

Message

From: Monell, Carol [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=79068469FD5C4AEEA50F2A2D6444D5E9-MONELL, CAROL]
Sent: 1/31/2019 7:28:15 PM
To: Woosley, Julie [julie.woosley@ncdenr.gov]
Subject: FW: WASCO, LLC - REQUEST FOR ASSISTANCE
Attachments: WASCO Wheeler Breen Letter 011119 FINAL (with Exhibits).pdf

From: <rappoldb@gtlaw.com>
Date: January 29, 2019 at 11:33:57 PM EST
To: <wheeler.andrew@epa.gov>, <breen.barry@epa.gov>
Cc: <johnson.barnes@epa.gov>, <rodney.huerter@veolia.com>
Subject: FW: WASCO, LLC - REQUEST FOR ASSISTANCE

Gentlemen:

I write in follow-up to the January 11th letter I sent on WASCO, LLC's behalf.

We are writing to apprise you of two developments that occurred after January 11th:

1. The Buncombe County Superior Court denied WASCO's motion for reconsideration and stay pending appeal; and
2. The North Carolina Court of Appeals denied WASCO's motion for stay. WASCO's motion for writ of supersedeas remains open. We expect a ruling on that motion sometime next week.

As a reminder, per the terms of the Buncombe County Superior Court's order, WASCO is required to submit a RCRA Part B application no later than February 28, 2019. Such an onerous requirement is manifestly unjust for a company, like WASCO, that never owned the facility; never directed or undertook any operations that led to the contamination at the site; never treated, stored, disposed of hazardous waste at the facility; and has no legal access to the site.

We recognize that the partial government shutdown has placed a heavy burden on you and your staff. We understand that you have many competing demands on your time. But the court's deadline is just a month away, and we need your help. Without it, we fear not only for WASCO, but for the integrity of the RCRA program in North Carolina and elsewhere.

Thank you for your time and attention. We would welcome an opportunity to meet with you in person to discuss this matter and answer any questions you may have.

Respectfully yours,

Bern

Bernadette M. Rappold
Shareholder

Greenberg Traurig, LLP
2101 L Street N.W. | Washington, D.C. 20037
T +1 202.331.3127 | C +1 202.412.3580
rappoldb@gtlaw.com | www.gtlaw.com | [View GT Biography](#)



PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

From: Rappold, Bernadette M. (Shld-WDC-Env)
Sent: Friday, January 11, 2019 6:21 PM
To: wheeler.andrew@epa.gov; breen.barry@epa.gov
Cc: johnson.barnes@epa.gov; Huerter, Rodney
<rodney.huerter@veolia.com>
Subject: WASCO, LLC - REQUEST FOR ASSISTANCE
Importance: High

Gentlemen:

Please find attached a letter from my client, WASCO, LLC, requesting your assistance regarding the Asheville Dyeing & Finishing Facility in North Carolina (EPA ID No. NCD070619663).

We made an attempt to have the letter hand delivered today; however, the William Jefferson Clinton Building was closed with no access to the mail room due to the partial government shut down.

Should you have any questions, please feel free to contact me as indicated below.

Thank you in advance for your attention.

- Bernadette

Bernadette M. Rappold
Shareholder

Greenberg Traurig, LLP
2101 L Street N.W. | Washington, D.C. 20037
T +1 202.331.3127 | C +1 202.412.3580
rappoldb@gtlaw.com | www.gtlaw.com | [View GT Biography](#)



PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL

If you are not an intended recipient of confidential and privileged information in this email, please delete it, notify us immediately at postmaster@gtlaw.com, and do not use or disseminate such information.